

FORTIETH DAY.

(Continued.)

(Saturday, April 11, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

RELATING TO HOUSE BILL NO. 24.

On motion of Mr. Harman (by unanimous consent), the following amendment to the caption of House bill No. 24 was adopted:

Amend House bill No. 24 by striking out of the caption the following: "Providing that at least two-thirds of those voting in a bond election must approve the issuance of bonds" and insert in lieu thereof the following: "Providing the issue of bonds shall be approved as directed by the Constitution."

HOUSE BILL NO. 689 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 689, A bill to be entitled "An Act validating, ratifying, and approving the acts and proceedings of the county board of school trustees, and county commissioners courts, relating to consolidation of territory to certain independent school districts, and declaring an emergency."

The bill was read second time.

Mr. Dunlap offered the following amendments to the bill:

(1)

Amend House bill No. 689 by adding after the word "State" in line 15, the following:

"Having a population of not less than 10,371 and not more than 10,980, according to the preceding Federal census."

(2)

Amend House bill No. 689 by striking out of said bill the following language:

All after the word "district" in line 16, down to the word "and" in line 18.

(3)

Amend House bill No. 689 by adding after the word "districts" in line 10 in the caption the following:

"Providing the way and manner the population in the counties are determined."

The amendments were severally adopted.

House bill No. 689 was then passed to engrossment.

HOUSE BILL NO. 797 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 797, A bill to be entitled "An Act making it unlawful to hunt, shoot or kill any quail in Falls county for a period of five years; fixing penalty, and declaring an emergency."

The bill was read second time.

Mr. Kennedy offered the following amendments to the bill:

(1)

Amend House bill No. 797 by striking out Section 1, and inserting in lieu thereof the following:

"From and after the passage of this act, it shall be unlawful for any person to hunt, shoot or kill any quail in Falls and Johnson counties from and including January 1 of any year through November 31 of the same year. Any person violating any provision of this act shall, upon conviction, be fined in any sum not exceeding two hundred dollars (\$200)."

(2)

Amend House bill No. 797 by striking out all above the enacting clause, and inserting in lieu thereof the following:

A bill to be entitled "An Act making it unlawful to hunt, shoot or kill any quail in Falls and Johnson counties from and including January 1 through November 31 of any year; fixing the penalty for the violation of the provisions of this act, and declaring an emergency."

The amendments were severally adopted.

House bill No. 797 was then passed to engrossment.

HOUSE BILL NO. 812 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 812, A bill to be entitled "An Act repealing Chapter 42, Acts of the First Called Session of the Thirty-seventh Legislature (the same known as the Davidson road law), in so far as the same applies to Harrison county, and creating a more efficient road system for Harrison county, Texas; creating the office of county engineer, prescribing the method of his appointment, and providing for his oath and bond, prescribing his powers, duties, qualifications, term of office, salary, and the method of his removal, etc., and declaring an emergency."

The bill was read second time.

Mr. Caven offered the following amendments to the bill:

(1)

Amend House bill No. 812 by striking out all below the enacting clause and substituting the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 42, Acts of the First Called Session of the Thirty-seventh Legislature (the same being known as the Davidson Road Law), be, and the same is hereby in all respects, repealed in so far as the same applies to Harrison county.

Sec. 2. The commissioners court of Harrison county is hereby authorized and empowered to employ a county engineer, whose duties, compensation and liabilities shall be such as are imposed by this act. The said county engineer shall devote his entire time to the construction and maintenance of the county roads.

Sec. 3. That said county engineer shall be appointed by the commissioners court of said county within ninety days after the passage of this act at a regular meeting or called session thereof; that he shall have charge of all public road construction and public road maintenance, together with the building of bridges and culverts in his county, except as is otherwise herein expressly provided; said county engineer, within twenty days after his appointment, shall take and subscribe to the oath required by the Constitution and enter into bond, payable to the county judge or his successors in office, with good and sufficient sureties, to be approved by the county judge, in the sum of \$5000, conditioned upon said engineer faithfully

and effectively discharging and performing all the duties required by law or imposed on him by the commissioners court of his county, which bond shall be filed and recorded as other official bonds, and shall not be void for the first recovery, but may be sued on from time to time until the whole amount is exhausted.

Sec. 4. Said county engineer shall be a qualified civil engineer and a resident of the State of Texas; he shall serve at the will of the commissioners court, and may be removed by said commissioners court for any reason which, in the opinion of said court, justifies removal. He shall receive such salary as may be determined by the commissioners court, to be paid out of the road and bridge fund. That said county engineer shall, subject to the orders of the commissioners court, have general supervision over the construction and maintenance of all public roads and highways of his county, together with the building of bridges and culverts; he shall superintend the laying out of new roads, subject to the orders of the commissioners court, and shall forthwith make, or cause to be made, a road map of the county, showing the location, mileage and classification of the different roads and highways in said county.

Sec. 5. Said county engineer shall have the authority to select and appoint all employes in the road and bridge department of said county, subject to the ratification of the commissioners court, and at such salary as may be determined by the commissioners court; such county engineer may employ such office assistants as may be necessary for the efficient performance of his duties, with the advice and consent of the commissioners court, at such salary as may be determined by said commissioners court, which said salary shall be paid out of the road and bridge fund.

Sec. 6. Said Harrison county is empowered and authorized to purchase or hire all necessary tools and implements, machinery and labor required to maintain, construct and permanently improve the roads of such county.

Sec. 7. The commissioners court may require all county convicts, not otherwise employed, to labor upon the public roads under such regulations as may be most expedient. Each

county convict worked on the public roads in satisfaction of any fine and costs shall receive a credit thereon of \$1 for each day that he may labor. And the commissioners court shall order that the county pay to the officers and witnesses such amount of their costs as have been satisfied by labor of such convicts as it may deem best, not to exceed one-half of such costs, which amount shall be paid to the officers and witnesses out of the road and bridge fund on the warrant of the county judge; provided, that this shall not be construed as to relieve any convict from the payment of all costs for which he may be liable under the laws of this State. The commissioners court may grant a reasonable commutation of time for which a convict is committed as a reward for faithful service and good behavior, provided such commutation shall not exceed one-tenth of the whole time.

The commissioners court may provide the necessary houses, prisons, clothing, bedding, food, medicine, medical attention and other necessary incidental items, together with superintendents and guards for the safe and humane keeping of the convicts.

Sec. 8. That hereafter, in the county of Harrison, the members of the commissioners court shall be ex-officio road commissioners of their respective precincts and under the directions of the commissioners court shall have charge of the tools and machinery belonging to the county and placed in their hands by said court, and it shall be their duty, under such rules and regulations as the commissioners court may prescribe, to cooperate and work with the county engineer in laying out new roads, the making or changing of roads, the maintenance of roads, and the building of bridges. Each county commissioner shall, before entering upon the duties of road commissioner, execute a bond for \$1000, with two or more good and sufficient sureties, payable to the county judge and his successors in office, and to be approved by the county judge, for the use and benefit of the road and bridge fund, conditioned that he will perform all the duties required of him by law or by the commissioners court, and that he will account for all moneys or other property belonging to the county that may come into his possession.

Sec. 9. The commissioners court shall have full power and authority, and it shall be their duty, to adopt such system of working, laying out, draining and repairing the public roads as they may deem best; and from time to time said court may change their plan or system of working. The commissioners court shall have the power to purchase such tools and machinery as may be necessary for the working of the public roads.

Sec. 10. Each county commissioner and the county judge of said county, when traveling on county business relating to the roads or highways of said county, shall be allowed the sum of seven cents per mile as traveling expenses, to be paid out of the road and bridge fund on sworn statement at the end of each month; provided, that the county shall not pay to the county judge or any county commissioner in excess of \$50 as traveling expenses for any one month.

Sec. 11. As soon as practicable after the first of each year, the commissioners court shall prepare a budget showing the estimated receipts which will be received in the road and bridge fund for that year, and containing a statement of the estimated operating expenses out of such county fund for said year; and in making up said estimate of expenses the commissioners court shall be governed as nearly as possible by the amount of estimated revenue which the county will receive for said period.

Sec. 12. That the county engineer with the approval of the commissioners court may appoint such persons as shall be necessary to superintend and direct the work of delinquent poll tax payers and delinquent road tax payers.

Sec. 13. The right of way for all roads constructed in said county after this act takes effect shall be at least sixty feet in width.

Sec. 14. From and after the passage of this act the county shall not provide or furnish side-crossings unless it is the opinion of the commissioners court that the facts of a particular case make it necessary for such side-crossing to be furnished. The commissioners court and the county engineer shall have full control over the manner of installing all side-crossings.

Sec. 15. Any male person in Harrison county subject to the payment of a poll tax, whether assessed or not, who fails to pay the same on or before the first day of February thereafter, shall be a delinquent poll tax payer and shall be subject to road duty for a period of three days during the year and shall be summoned by the county engineer or by some person appointed by the county engineer for that purpose as hereinafter provided in this act, and he shall be liable to road duty on any road to which he may be assigned by the commissioners court. It is hereby made the duty of the tax collector as soon as practicable after the first day of February, and before the first day of May thereafter, to make out and give to the commissioners court a complete list of all delinquent poll tax payers for the previous year with their residence as shown in said collector's office. And each of said delinquent poll tax payers shall be subject to road duty on any road to which he may be assigned by the commissioners court. The performance of the road service provided for in this section shall not exempt a person from any other road duty to which he is subject. Any person, when liable to work the roads under this section, and who, after being summoned for that purpose, shall fail to appear and perform the work required, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not to exceed \$200.

Sec. 16. Every able-bodied male person between the ages of 18 and 50 years shall be liable for road duty in Harrison county, and every such person shall, on or before the first day of February of each year pay to the tax collector of Harrison county the sum of \$3.00; every person making such payment shall be exempt from road duty for one year next succeeding such first day of February. The county tax collector shall receive and receipt for all moneys so paid him and shall pay the same over to the county treasurer by duplicate warrant for the benefit of the road and bridge fund, retaining one of said warrants as his receipt therefor. The tax assessor of Harrison county shall procure a list of all persons liable for road duty and residing in said county on the first day of January of each year, but shall not include residents of incorporated cities, which said list shall be examined and approved by the commissioners court and turned

over to the tax assessor, who shall place same on a separate roll and turn the same over to the tax collector, as other rolls; and the tax collector is required to furnish a monthly statement of such taxes collected, and after the first day of February of each year shall furnish the commissioners court a statement of all persons failing to pay such road tax. Provided, that the tax collector, when his attention is called to the matter, may add any other names to said list where such names of the parties were omitted from said list through inadvertence or otherwise.

Sec. 17. As compensation for the hereinbefore designated duties as set out in the next preceding section, the tax assessor shall receive two per cent of the amount of such assessment, and the tax collector shall receive three per cent of the amount collected; provided, that the tax collector shall also receive two per cent for such assessments as he may make in the nature of supplemental rolls against persons whose names do not appear on the list assessed by the tax assessor.

Sec. 18. Any able-bodied male person residing in Harrison county, Texas, who shall fail or refuse to pay said road tax of \$3.00 to the tax collector of said county on or before the first day of February as hereinabove provided, shall be liable to six days' road service on the roads of said county, or after being summoned to do said road service, such person or persons may avoid the said road service by paying to the tax collector the sum of \$6.00 and presenting said receipt to the county engineer on or before the first day for which he was summoned. Whenever, in the opinion of the county engineer, it may be necessary to use a wagon and team, or plow and team, or scraper and team, for the purpose of working the road, the said county engineer is authorized to exchange the labor of any hand or hands bound to work on such roads for the use of a wagon or wagons, plows, or scrapers and the necessary teams to operate the same, at reasonable rates.

Sec. 19. The following persons shall be exempt from the road service hereinabove provided for, to-wit: Ministers of the gospel in the active discharge of their ministerial duties; public school teachers while actively engaged in the school room; invalids.

Sec. 20. Whenever any person shall be liable to work on the roads of said county under the provisions of this act, either as a delinquent poll tax payer or as a delinquent road tax payer, he shall be summoned by the county engineer or by some person employed by the county engineer for that purpose. Said summons shall be given by notice in person or in writing, specifying the time and place when and where such person is required to work. If such summons be in writing, it may be served by leaving the same at the usual place of abode of the person summoned, with some person residing at such place who is not less than ten years of age, or if no person ten years of age or over, can be found at such place of abode, the said notice may be served by posting it on the door of such place of abode.

Sec. 21. Any person who shall fail or refuse to comply with said summons shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not to exceed \$200.

Sec. 22. Any person liable to do road duty and who has been summoned to do such duty shall have the privilege to furnish an able-bodied substitute to work in his place, which substitute shall be accepted if he is capable of performing a reasonable amount of work, otherwise he shall not be accepted.

Sec. 23. The said Harrison county is hereby authorized to carry Employers' Liability Insurance for the protection of the employes of the road and bridge department of said county, which insurance may be paid for out of the road and bridge fund.

Sec. 24. All purchases made for the use of the road and bridge department of said county shall be made on competitive bids, except in instances where no good purpose can be served by securing such competitive bids, in which cases they shall not be required; when in the opinion of the commissioners court it shall seem to the best interest of the county that it is not necessary to formally advertise for bids, purchases in such cases may be made in such manner as the said commissioners court shall deem best.

Sec. 25. The commissioners court of said county is hereby authorized to compensate workmen in the road

and bridge department for extra meritorious service in such manner as the said commissioners court shall deem best.

Sec. 26. The commissioners court shall at all times co-operate with the State Highway Commission in improving the road system of said county.

Sec. 27. The provisions of the foregoing act shall be held and construed to be cumulative of all general laws of this State on the subject of roads, when not in conflict herewith, but in cases of such conflict this act shall control as to Harrison county.

Sec. 28. If any part of this act should be held unconstitutional or inoperative by any court or other body, such holding shall not in any way affect any remaining part or section of this act; and shall not render such other part or section unconstitutional or inoperative, but such remaining sections or parts of this act shall continue to operate in full force and effect as the Special Road Law of Harrison county.

Sec. 29. The fact that Harrison county now has no adequate local road law constitutes an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days shall be suspended, and such rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

(2)

Amend House bill No. 812 by striking out all above the enacting clause and substituting the following:

A bill to be entitled "An Act repealing Chapter 42, Acts of the First Called Session of the Thirty-seventh Legislature (the same being known as the Davidson road law) in so far as the same applies to Harrison county, Texas, and creating a more efficient road system for Harrison county, Texas, empowering the commissioners court to appoint a county engineer, prescribing his powers, duties, qualifications, terms of office, salary, the manner of his removal, and providing for his oath and bond; vesting said county with authority to purchase or hire labor, tools, implements and machinery for road work; providing for the working of county

convicts on the county roads and the purchasing of supplies for such convicts, and for the commutation of sentence for faithful and efficient service and good behavior, and for payment of fees to officers; providing that members of the commissioners court shall be ex-officio road commissioners and prescribing their powers and duties as such; prescribing powers of commissioners court in working, laying out, draining, and repairing the public roads; providing for the payment of traveling expenses of county judge and county commissioners of seven cents per mile while traveling on county business relating to the roads or highways of said county; providing for budget of road funds; providing for appointment of persons to work delinquent poll tax payers and delinquent road tax payers; providing for width of right-of-way; providing that county shall not furnish side crossings except in cases of emergency and providing that commissioners court and county engineer shall have control over the manner of constructing side-crossings; providing that delinquent poll tax payers shall be liable to three days' extra road service; providing that all able-bodied male persons between 18 and 50 years of age shall be liable to road duty and shall pay road tax of \$3.00 each year therefor, and providing for assessment and collection thereof, and providing for compensation of tax collector and tax assessor for their services; making it a misdemeanor to fail or refuse to do road duty after being summoned therefor and providing a penalty; providing for exemptions from road service; providing method of summoning delinquent poll tax payers and delinquent road tax payers; providing persons liable to road duty may furnish substitutes; providing for county to carry employers' liability insurance for benefit of employes of road and bridge department of said county; providing manner of purchasing supplies for road and bridge department; providing for rewarding employes of road and bridge department for extra meritorious service; providing that this act shall be cumulative of all general laws not in conflict herewith, but in case of conflict this act to control, and declaring an emergency."

The amendments were severally adopted.

House bill No. 812 was then passed to engrossment.

HOUSE BILL NO. 823 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 823, A bill to be entitled "An Act fixing the salary of the members of the commissioners courts in counties having a population of less than 19,850, according to the last available Federal census and in which counties there have been voted road bonds in a sum exceeding \$2,000,000; providing the method of payment, and declaring an emergency."

The bill was read second time.

Mr. Grogan offered the following amendments to the bill:

(1)

Amend House bill No. 823, in Section 1, in line 1, by adding after the word "of" the word "not," and by adding after the figures "19,850" in line 2 the following: "and not more than 19,880."

(2)

Amend caption of House bill No. 823 to conform to the body of the bill.

The amendments were severally adopted.

House bill No. 823 was then passed to engrossment.

HOUSE BILL NO. 825 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 825, A bill to be entitled "An Act fixing the salary of county auditors in counties having a population of not less than 19,850 and not more than 19,880, according to the last available Federal census; providing for the method of payment, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 845 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 845, A bill to be entitled "An Act providing for the employment of a rural school supervisor in counties having a population of not less than 53,900 and not more than

54,000; providing for their duties, salaries, expenses and qualifications; providing that counties accepting the benefits of this act shall not be required to hold teachers' institutes, but providing that the county superintendent may call meetings of the teachers within his jurisdiction, and declaring an emergency."

The bill was read second time.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 845 by striking out the words in Section 1 immediately following the figures "54,000" as follows: "as shown by the Federal census of 1930," and amend the caption accordingly.

The amendment was adopted.

House bill No. 845 was then passed to engrossment.

HOUSE BILL NO. 892 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 892, A bill to be entitled "An Act relating to the taking of fur-bearing animals in certain counties; declaring the wild beaver, wild otter, wild mink, wild ring-tail cat, wild badger, wild polecat or skunk, wild opossum, wild raccoon, wild fox and wild civet cat to be fur-bearing animals, and making it unlawful to take any of the fur-bearing animals of this State by means of a steel trap, dead-fall or snare, in the county of Dallas; providing a penalty, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 925 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 925, A bill to be entitled "An Act making it unlawful to hunt, take or kill any wild turkey, wild quail or wild dove in Caldwell county for a period of three years; fixing a penalty, and declaring an emergency."

The bill was read second time.

On motion of Mr. Dowell, the bill was laid on the table subject to call.

HOUSE BILL NO. 960 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 960, A bill to be entitled "An Act to establish a system of public roads and bridges for Bexar county and to empower the commissioners court thereof to provide rules and regulations therefor, etc., and declaring an emergency."

The bill was read second time.

On motion of Mr. Reader, the bill was laid on the table subject to call.

SENATE BILL NO. 575 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 575, A bill to be entitled "An Act to establish a system of public roads and bridges for Bexar county, and to empower the commissioners court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes, to constitute each county commissioner ex-officio commissioner of the public roads and bridges of his precinct and to describe the powers and duties of the county commissioners, etc., and declaring an emergency."

The bill was read second time.

Mr. Reader offered the following amendments to the bill:

(1)

Amend Senate bill No. 575 by striking out the word "rapid" in Section 12 and insert in lieu thereof the following: "natural."

(2)

Amend Senate bill No. 575 by adding at the end of Section 12 the following words: "Provided, that this section shall not be construed as conferring authority on the commissioners court to require any railway company to receive, care for, or dispose of any water that does not naturally fall on, or naturally flow to and on its right-of-way."

The amendments were severally adopted.

Senate bill No. 575 was then passed to third reading.

HOUSE BILL NO. 979 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 979, A bill to be entitled "An Act to create a more efficient road system for Mills county, Texas, and making the commissioners of Mills county ex-officio road commissioner in their respective precincts, and providing for the appointment of deputies; defining the powers and duties of the commissioners court with reference to roads and bridges; providing for the appointment of road overseers, and defining their duties, and providing for and fixing their compensation for certain labor; providing penalties for the violation of this act, etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 985 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 985, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 992 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 992, A bill to be entitled "An Act establishing a county law library in certain counties; providing a fund to be administered by the commissioners court to be raised by collecting fifty cents as costs in each case hereafter filed in civil or criminal county and/or district courts; providing for appointment of a custodian or librarian, and his salary; providing for housing and management, and declaring an emergency."

The bill was read second time.

Mrs. Hughes offered the following amendment to the bill:

Amend House bill No. 992, Section 1, line 6, by adding the following after the word "courts": "Provided, however, that in no event shall the county be liable for said costs in any civil or criminal case."

The amendment was adopted.

By unanimous consent the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 992 was then passed to engrossment.

HOUSE BILL NO. 996 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 996, A bill to be entitled "An Act to amend Article 3887 of the Revised Civil Statutes of 1925, as amended by the Acts of the Forty-first Legislature, Regular Session, Chapter 112, page 256, relating to the fees of the county attorney in any county having a population in excess of 100,000 inhabitants where there is no district attorney, so as to include any county having less than 100,000 inhabitants, but containing a city with a population in excess of 50,000 inhabitants, according to the last preceding Federal census and each succeeding Federal census thereafter, where there is no district attorney; providing a maximum compensation payable to him out of the fees collected by such county attorney, etc., and declaring an emergency."

The bill was read second time.

Mr. Bedford offered the following amendments to the bill:

(1)

Amend House bill No. 996, Section One (1), paragraph two (2), after the words "Article 3887," by striking out the following: "in any county having a population in excess of one hundred thousand (100,000) inhabitants, where there is no district attorney or."

(2)

Amend caption to House bill No. 996 by striking out the following: "in excess of one hundred thousand (100,000) inhabitants where there is no district attorney, so as to include any county having less than" and inserting after the word "inhabitants" in

line seven (7) the words "or less."

The amendments were severally adopted.

House bill No. 996 was then passed to engrossment.

HOUSE BILL NO. 997 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 997, A bill to be entitled "An Act abolishing the office of district attorney in the Seventy-seventh Judicial District of Texas; fixing the duties of county attorneys of said district; fixing their compensation; repealing conflicting laws; fixing effective date of the act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 999 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 999, A bill to be entitled "An Act to amend Section 1, House bill No. 574, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1000 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1000, A bill to be entitled "An Act to amend Chapter 7, Title 121, of the Revised Civil Statutes of 1925, so that Presidio county shall not be exempted from the operation of Articles 6972 to 7008, inclusive, relating to the inspection of hides and animals; providing for appointment of an inspector of hides and animals for Presidio county until the next general election by the commissioners court of Presidio county; and further providing that should said court fail to appoint such officer, that the sheriff of Presidio county shall perform the duties of said office; making provision for the disposition of the fees collected by the sheriff of Presidio county while performing the

duties of inspector of hides and animals; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 972 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 972, A bill to be entitled "An Act to validate the organization and creation of all consolidated independent school districts formed through the consolidation of one independent school district and one common school district in counties having a population of not less than 39,014 and not more than 39,105, according to the Federal census of 1930; validating the acts of the county board of trustees, the commissioners court and all officials having a part in the creation of such districts in such counties; validating acts of the board of trustees of said district; validating all tax assessments and levies made by said districts, and declaring an emergency."

The bill was read second time.

Mr. Lockhart offered the following amendments to the bill:

(1)

Amend House bill No. 972 by amending the caption to conform to the body of the bill.

(2)

Amend House bill No. 972 by striking out the words "Federal census, 1930," and insert in lieu thereof "preceding Federal census."

The amendments were severally adopted.

House bill No. 972 was then passed to engrossment.

SENATE BILL NO. 566 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 566, A bill to be entitled "An Act providing for the taking of fish from the fresh waters of Rockwall county, Texas, and making it un-

lawful to take any such fish except by ordinary hook and line or by seine or net, the mesh of which is less than one and one-half inches square, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 571 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 571, A bill to be entitled "An Act to validate the extension of the corporate limits of cities having a population of not less than 15,000 and not more than 20,990, according to the last preceding United States census, either wherein said extension of territory was attempted under statutes providing for the consolidation of cities of more than 5000 population, and wherein in the act of extending said corporate limits said city has included all of the territory of an adjoining city of less than 2000 population, and/or wherein said extension of territory was attempted under charter provisions which provide for the annexation of adjoining territory without specific reference to the fact that the adjoining territory is included in an incorporated city, and to validate all proceedings, actions, resolutions, elections and ordinances taken or made in reference thereto or pursuant thereto, repealing all laws and parts thereof in conflict herewith to the extent in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 352 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 352, A bill to be entitled "An Act fixing the maximum compensation which may be allowed for deputies and/or assistants to the sheriff, county clerk, district clerk, tax assessor and tax collector in counties with a population over 150,000 inhabitants and containing a city with a population of over 50,000 inhabitants according to the last United States census; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to third reading.

HOUSE BILL NO. 648 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 648, A bill to be entitled "An Act amending Article 7058, Revised Statutes of 1925, and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following amendments to the bill:

(1)

Amend House bill No. 648, page 1, Section 1, by striking out the word "four" and the figure "4" wherever they occur and insert in lieu thereof the words "two and one-half" and the figures "2½."

(2)

Amend House bill No. 648, page 1, Section 1, by striking out the following: "interurban railroad, street railroad, tram railroad, electric railroad, airplane, motor truck, motor bus, or other kind of motor vehicles."

The amendments were severally adopted.

House bill No. 648 was then passed to engrossment.

HOUSE BILL NO. 215 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 215, A bill to be entitled "An Act repealing House bill No. 114, Chapter 68, page 181, Acts Forty-first Legislature, First Called Session, and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following amendments to the bill:

(1)

Amend House bill No. 215 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Chapter 68, House bill No. 114, Acts First Called Session of the Forty-first Legislature, and House bill No. 134, Acts of the

Fifth Called Session of the Forty-first Legislature, be and the same are hereby repealed.

Sec. 2. It shall be unlawful to take the pelts of any of the fur-bearing animals of this State at any time other than the open season provided therefor. The open season for taking the pelts of wild beaver, for that portion of the State of Texas lying west of the Pecos river, shall be during the month of January of each year. It shall be unlawful to take the pelts of wild beaver in any other portion of this State or to take the pelts of wild otter in any portion of this State within a period of ten (10) years following the passage of this act.

Sec. 3. That there be and is hereby levied a tax of five cents on each pelt taken from a wild beaver, which shall be payable as provided in House bill No. 86, Acts Fifth Called Session of the Forty-first Legislature.

Sec. 4. Any person who violates any provision of this act shall be deemed guilty of a misdemeanor and shall be fined in any sum not less than ten dollars (\$10) nor more than one hundred dollars (\$100) and his trapper's and dealer's license shall be forfeited at the time of conviction, and he shall not be entitled to purchase another such license for a period of one year.

Sec. 5. The fact that trapping for fur-bearing animals is prohibited in certain counties of this State and the fact that beaver are numerous in that section of the State west of the Pecos river, and the fact that wild fox are given more than adequate protection in the eastern portion of this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and that this act shall take effect and be in force from and after its passage, and it is so enacted.

(2)

Amend House bill No. 215 by striking out all above the enacting clause and inserting in lieu thereof the following:

A bill to be entitled "An Act repealing Chapter 68, House bill No. 114, Acts First Called Session, Forty-first Legislature, making it unlawful to take wild beaver, wild otter or wild

fox; repealing House bill No. 134, Acts Fifth Called Session, Forty-first Legislature, prohibiting the use of steel-traps, snare or dead-fall in certain counties; providing that it shall be lawful to take beaver during the month of January in that portion of the State of Texas west of the Pecos river during the month of January of each year, and that it shall be unlawful to take beaver in any other portions of the State or to take otter in this State for a period of ten (10) years following the passage of this act; providing a penalty, and declaring an emergency."

The amendments were severally adopted.

House bill No. 215 was then passed to engrossment.

HOUSE BILL NO. 505 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 505, A bill to be entitled "An Act providing for the determination of the taxable value of property and the amount of taxes properly payable in cases where the validity of an assessment of taxes by an assessor, or the validity of the act of a board of equalization, in its adjustment thereof, is in issue; and providing for the foreclosure of the tax lien and the sale of such property, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 455 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 455, A bill to be entitled "An Act making it unlawful to operate a vehicle for the transportation of pupils to and from any school or college without displaying a sign with the words 'School Bus' on the front and rear and each side thereof, and providing safeguards to passengers on entering or leaving same from dangers caused by passing motorists, and providing for penalties for the violation thereof, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 993 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 993, A bill to be entitled "An Act to amend Article 529 of the Penal Code, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

SENATE BILL NO. 572 ON SEC-
OND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 572, A bill to be entitled "An Act making better provisions for public parks and playgrounds outside the limits of incorporated cities; authorizing cities to acquire and maintain recreation parks and playgrounds without their territorial limits and within the county within which they are situated."

The bill was read second time, and was passed to third reading.

HOUSE BILL NO. 48 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 48, A bill to be entitled "An Act amending Article 2956 of the Revised Civil Statutes of Texas of 1925, and repealing all laws in conflict; said amended article relating to suffrage, and providing who may exercise the privilege of voting an absentee ballot, and prescribing the conditions under which said voting shall be conducted, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 434 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 434, A bill to be entitled "An Act amending Chapter 92 of the Acts of the First Called Session of the Forty-first Legislature of the State of Texas, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 480 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 480, A bill to be entitled "An Act defining the north white wing zone and the south white wing zone, and amending Article 879a of Chapter 74, of the General and Special Laws of the Regular Session of the Forty-first Legislature, and Article 879b of Chapter 215, of the General and Special Laws of the Regular Session of the Fortieth Legislature, which articles relate to the open season on white-wing doves and quail, and declaring an emergency."

The bill was read second time.

Mr. Leonard offered the following amendments to the bill.

(1)

Amend House bill No. 480 by striking out the words "September 1st" where they appear in line 39, page 1, and inserting in lieu thereof the words "August 20th."

(2)

Amend House bill No. 480 by striking out all of Section 3 and changing the number of Section 4 to conform.

(3)

Amend House bill No. 480 by striking out all above the enacting clause and inserting in lieu thereof the following:

A bill to be entitled "An Act defining the north white-wing zone and the south white-wing zone, and amending Article 879a of Chapter 74 of the General and Special Laws of the Regular Session of the Forty-first Legislature, which article relates to the open season on white-wing doves, and declaring an emergency."

The amendments were severally adopted.

House bill No. 480 was then passed to engrossment.

RELATING TO HOUSE BILL
NO. 850.

On motion of Mrs. Hughes (by unanimous consent), the caption of House bill No. 850 was ordered amended to conform to all changes made in the body of the bill.

HOUSE BILL NO. 1014 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1014, A bill to be entitled "An Act authorizing the Governor, on the recommendation of the State Highway Commission, to convey title to land acquired by the State for highway purposes where, after the acquisition thereof, such land is no longer needed for such purposes because of a change in the route of such highway, or the abandonment thereof; authorizing the Governor to exchange one right of way for another; requiring the Highway Commission to fix a fair and reasonable value of such land; providing for the return of land donated to the State; making it the duty of the Attorney General to pass on the validity of such transfers, and declaring an emergency."

The bill was read second time.

Mrs. Rountree offered the following amendments to the bill.

(1)

Amend House bill No. 1014, in line 11 of Section 1, by adding thereto after the word "and" the word "or."

(2)

Amend House bill No. 1014, in line 6 of Section 1, by adding thereto after the word "highway" where it first appears in said line, the following: "or needed for use of citizens as a road."

The amendments were severally adopted.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 1014 by adding, immediately following Section 1, another section, designated as Section 1a, to read as follows:

Section 1a. In the event any public road or State highway is located on land in which the fee simple title is not vested in the State or the county wherein such road is located, such land so dedicated and used for such road purpose shall not be assessed for ad valorem taxation or the fee simple owner required to pay ad valorem taxes thereon for any purpose so long as same is used for such road purpose. It shall be the duty of the tax assessor, whenever his attention is called thereto by the fee simple owner

of lands so used for public road or State highway purposes, to note on the assessment sheet the amount of land so used."

The amendment was adopted.

House bill No. 1014 was then passed to engrossment.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 11, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 547, A bill to be entitled "An Act imposing a privilege tax on persons producing natural gas as defined in this act, including persons importing gasoline who sell the same in intrastate commerce within this State; providing a graduated scale and basis for said tax, and prescribing manner and time of payment thereof; providing for deduction for evaporation and loss; requiring certain records to be kept, etc., and declaring an emergency," with amendments.

Respectfully
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 950 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 950, A bill to be entitled "An Act amending Section 8 of Chapter 274 of the General Laws of the Regular Session of the Forty-first Legislature, which chapter relates to the regulation of local mutual aid associations paying death benefits operating an insurance business and paying benefits where funds are provided by assessments on members and which Section 8 thereof relates to such associations being mutual in character, and providing for non-personal capacity by virtue of any policy issued or claims arising thereon, by adding to said Section 8 a provision authorizing such associations to issue policies of group insurance so that the same policy may cover the lives of two or more individuals who are members thereof, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 402 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 402, A bill to be entitled "An Act to authorize the payment of the apportionment of the State and county available school fund, and additional tuition if necessary, to public schools in Louisiana, Arkansas, Oklahoma and New Mexico for the benefit of children who reside in Texas school districts on the border of such States; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 166 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 166, A bill to be entitled "An Act to amend Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, and declaring an emergency."

The bill was read second time.

On motion of Mr. Hubbard, the bill was laid on the table subject to call.

HOUSE BILL NO. 955 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 955, A bill to be entitled "An Act amending Chapter 3, Title 51, of the Revised Civil Statutes of Texas, 1925, by adding Articles 3202a and 3202b, providing for the payment, by the guardians, or other persons legally liable, for the support and maintenance of children maintained and supported in certain State institutions and schools of Texas; authorizing the State Board of Control to fix the amount of such charges; making investigations concerning the ability of such persons to make payment thereof; providing the means and manner of collecting such charges, and for an additional method of discharge of such children from such institution, and declaring an emergency."

The bill was read second time.

Mrs. Hughes offered the following (committee) amendment to the bill:

Amend House bill No. 955 by inserting after the comma after the

word "blind," and before the word "and" the following: "Austin State School."

The amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 955 was then passed to engrossment.

HOUSE BILL NO. 195 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 195, A bill to be entitled "An Act making it unlawful for any person, association, firm or corporation to execute and deliver, knowingly, any deed, mortgage, deed of trust, or other instrument in writing, purporting to convey any land or interest in land, to any other person, association, firm or corporation, when such person, association, firm or corporation is not the owner of, or has no interest in such land, and for any person, association, firm or corporation, to knowingly receive and tender for record any such deed, mortgage, deed of trust, or other instrument in writing; providing a penalty for the violation of this act, and declaring an emergency."

The bill was read second time.

Mr. McGill offered the following (committee) amendment to the bill:

Substitute the following for Section 1 of the bill, to-wit:

"Section 1. It shall be unlawful for any person, acting for himself or as an officer or purported officer of any association, firm or corporation to execute or deliver to any other person, association, firm or corporation, any deed, mortgage, deed of trust or any other instrument in writing purporting to convey any land or interest in land within this State, when such person, at the time of the execution of such instrument, knows that neither he nor the association, corporation or firm for which he is acting, or purports to be acting, is the owner of or has an interest in the land described in said instrument; and it shall further be unlawful for any person, acting in his said individual capacity or in behalf of the organizations hereinbefore named, to knowingly receive such instrument or to tender for record such instrument, knowing at the time of such receiving

or tendering that the person, firm or corporation executing such instrument was not the owner of the land nor the interest therein which said instrument conveys, or purports to convey."

The amendment was adopted.

Mr. Holland offered the following amendment to the bill:

Amend House bill No. 195 as follows: Strike out the penalty and insert instead the following: "by fine of not less than \$100 and more than \$500, or not to exceed six months in jail, or both such fine and jail sentence."

HOLLAND,
KENNEDY.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes in the body of the bill.

House bill No. 195 was then passed to engrossment.

HOUSE BILL NO. 417 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 417, A bill to be entitled "An Act to amend Article 1536, Revised Statutes of 1925, prescribing penalties for the transaction of business by foreign corporations in this State without obtaining a permit to do business in Texas, and declaring an emergency."

The bill was read second time.

Mr. Van Zandt offered the following (committee) amendment to the bill:

Amend House bill No. 417, Section 1, line ten (10), by striking out the words "one thousand dollars" and inserting in lieu thereof the words "five thousand dollars."

The amendment was adopted.

House bill No. 417 was then passed to engrossment.

HOUSE BILL NO. 170 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 170, A bill to be entitled "An Act to amend Article 324 of the Revised Civil Statutes of 1925, as amended by House bill No. 222, Chapter 254, Acts of the Regular Session

of the Forty-first Legislature, and declaring an emergency."

The bill was read second time.

Mr. Hill offered the following amendment to the bill:

Amend House bill No. 170 by striking out all of Section 1 after the words "as follows" and substituting in lieu thereof the following:

"Article 324. The district attorney shall appoint one assistant district attorney or, at his option, one special investigator, in districts consisting of more than one county, in which there is situated a city of not less than 32,000 and not more than 33,000 population, according to the 1930 census; provided, the district attorney shall furnish data to the district judge of his district that he is in need of an assistant or special investigator and is himself unable to attend to all the duties required of him by law, and that it is necessary to the best interests of the State that an assistant district attorney or special investigator be appointed. Each person so appointed shall be a qualified resident of the district in which said appointment is made and shall give bond and take the official oath. The said assistant district attorney shall be a qualified licensed attorney and shall have authority to perform all the acts and duties of district attorney under the laws of this State; said appointment shall be for such time as the district attorney shall deem best in the enforcement of the law, not to be less than one month. Said assistant district attorney shall be paid by the Comptroller for the time of actual service rendered at the rate of \$2500 per annum. The said special investigator shall be paid by the Comptroller for the time of actual service rendered at the rate fixed by the district attorney, which shall not exceed the sum of \$2500 per annum. Said sum shall be paid upon certificates of the district attorney of said district that said assistant district attorney or special investigator has performed his duties and is entitled to pay; provided, however, that at no time shall there be employed in said district both an assistant district attorney and special investigator. The district attorney of any such district, at any time he deems said assistant or special investigator unnecessary, or finds that he is not attending to his duties as required by law, may remove said person from office by merely writing to said district judge to that effect."

Mr. Hill offered the following amendment to the amendment:

Amend the amendment to House bill No. 170 by striking out the words "according to the 1930 census," as appears at line 9 on page 3 of the printed bill, and substituting in lieu therefor the following: "according to the last preceding Federal census."

The amendment to the amendment was adopted.

The amendment as amended was then adopted.

House bill No. 170 was then passed to engrossment.

RELATIVE TO HOUSE BILL NO. 505.

Mr. Sanders moved to reconsider the vote by which House bill No. 505 was passed to engrossment.

The motion to reconsider prevailed.

On motion of Mr. Sanders, the bill was laid on the table subject to call.

HOUSE BILL NO. 735 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 735, A bill to be entitled "An Act to authorize the State Board of Control to lease public grounds and property of the State for agricultural and/or commercial purposes; prescribing the mode and manner of making said lease; repealing all laws in conflict, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1001 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1001, A bill to be entitled "An Act amending Article 614, Revised Criminal Statutes of Texas, 1925, governing roping contests; providing a penalty, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 905 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 905, A bill to be entitled "An Act requiring the judge of any court in which a defendant is convicted of driving a motor vehicle while under the influence of intoxicating liquor to enter an order prohibiting such person so convicted from driving any motor vehicle for a period of two years; providing that a violation of such order shall be punished as for contempt, and declaring an emergency."

The bill was read second time.

Mr. Farmer offered the following amendment to the bill:

Amend House bill No. 905 by inserting after the word "liquor" in line 17, these words: "or narcotics, the jury at the same time shall add to their verdict the length of time that the dependant shall be prohibited from driving any motor vehicle on the highways of this State," and after the first word "of" in line 20, strike out "two years from date of conviction," and insert these words: "time found by the jury."

The amendment was adopted.

House bill No. 905 was then passed to engrossment.

HOUSE BILL NO. 555 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 555, A bill to be entitled "An Act amending Article 2033, Revised Civil Statutes, 1925, permitting citation to be served on the local agents of individual or partnerships supplying gas, water, electricity or other service to villages, towns and cities, and declaring an emergency."

The bill was read second time.

Mr. Young offered the following (committee) amendment to the bill:

Amend House bill No. 555, Section 1, by striking out all after the word "follows" and insert in lieu thereof the following:

"Article 2033a. In suits against individuals and partnerships engaging in supplying gas, water, electricity or other public utility service to villages, towns, or cities in Texas, where such individuals or members of such partnerships reside out of the State of Texas, citation may be served upon the local agent of such individual or partnership."

The amendment was adopted.

House bill No. 555 was then passed to engrossment.

HOUSE BILL NO. 427 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 427, A bill to be entitled "An Act providing that all officers and employes of the State of Texas, any county, or political subdivision thereof, including municipalities, who are members of the National Guard, National Guard Reserve or Organized Reserves of the Army or Navy of the United States, shall be entitled to leave of absence without loss of pay or efficiency rating during such days as they may attend training ordered or authorized under provisions of law, and declaring an emergency."

The bill was read second time.

Mr. Patterson offered the following (committee) amendment to the bill:

Amend House bill No. 427 by adding a second paragraph to Section One (1), which shall read as follows:

"Such leave of absence shall be in lieu of any and all other vacations with pay, and said employe shall not be entitled to any other vacation with pay during the fiscal year."

The amendment was adopted.

House bill No. 427 was then passed to engrossment.

HOUSE BILL NO. 356 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 356, A bill to be entitled "An Act to amend Article 4014, Revised Civil Statutes of 1925, which regulates reports required to be made to the Railroad Commission by corporations, companies and persons issuing free transportation, by providing that such report shall be made as and when requested by the Railroad Commission of Texas, and fixing a penalty for violation of the law, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 748 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 748, A bill to be entitled "An Act prohibiting the taking of more than ten (10) squirrels in one day or the possession of more than

twenty (20) squirrels at any time; providing a penalty and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 353 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 353, A bill to be entitled "An Act to amend Article 1811, Revised Civil Statutes of 1925, so as to provide for the appointment by the Court of Criminal Appeals of the State prosecuting attorney before said court, prescribing the duties, qualifications and term of office of said attorney; transferring all duties and matters now provided by law for the 'Assistant State Prosecuting Attorney' to the State Prosecuting Attorney, and declaring an emergency."

The bill was read second time.

Mr. Graves offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 353, by adding at end of Section 1 to read as follows: "For cause the Court of Criminal Appeals shall have power to remove from office State Prosecuting Attorneys."

(2)

Amend House bill No. 353 by striking out "four (4) years" and inserting "two (2) years."

The amendments were severally adopted.

House bill No. 353 was then passed to engrossment.

HOUSE BILL NO. 332 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 332, A bill to be entitled "An Act to amend Section 16a of Article 8308, Revised Statutes of 1925, so as to hereafter provide that whenever the Texas Employers' Insurance Association shall have accumulated, at the end of any calendar year, an admitted surplus in excess of incurred losses, expenses and unearned premiums or other liabilities amounting to the sum of \$200,000 or more, the liability of its members to assessment under Article 8308, Section 15,

shall be suspended, and it shall be authorized to issue policies not subject to assessment, etc., and declaring an emergency."

The bill was read second time.

Mr. Lemens offered the following amendment to the bill:

Amend House bill No. 332 by striking out all of Section 16a and inserting in lieu thereof the following:

"Sec. 16a. Whenever the association shall have accumulated, at the end of any calendar year, an admitted surplus in excess of incurred losses, expenses and unearned premiums or other liabilities amounting to the sum of \$200,000 or more, the liability of its members to assessment under Article 8308, Section 15, shall be suspended, and it shall be authorized to issue policies not subject to assessment. It shall be the duty of the Board of Insurance Commissioners to determine promptly after the filing of the annual statement of the association whether or not such an amount of surplus exists and, if it finds that it does, it shall so state in a certificate. Such certificate shall remain in full force and effect for one year or until such time as a later report to or examination by the Department of Insurance shall show the surplus to be less than \$200,000, whereupon the Board of Insurance Commissioners shall cancel and revoke such certificate and require the association to issue policies subject to assessment under Article 8308, Section 15, as they were prior to the time when such surplus of \$200,000 or more was first accumulated."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 332 was then passed to engrossment.

HOUSE BILL NO. 605 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 605, A bill to be entitled "An Act to extend the jurisdiction of the Insurance Commissioner of the State of Texas so as to include all mutual assessment life, health and accident companies and associations

now operating in the State of Texas on a State-wide plan; and providing for the regulation and management of all such mutual assessment life, health and accident insurance companies or associations; and providing qualifications whereby local mutual aids may be admitted to write State-wide insurance; prescribing penalties, and declaring an emergency, and fixing qualifications for coming under this act."

The bill was read second time.

Mr. McGill offered the following amendment to the bill:

Amend House bill No. 605 by striking out all below the enacting clause and inserting the following:

Section 1. Shall Qualify—All mutual assessment life insurance companies or associations now doing business on a State-wide plan and operating under a valid charter granted by this State shall, within six months from the effective date of this act qualify with the Board of Insurance Commissioners as follows:

(1). They shall file with the Board of Insurance Commissioners of this State a copy of their charter and amendments thereto, and acknowledged as required by law for instruments, intended to be recorded, and which shall state:

(a). The name of the company or association.

(b). The location of the principal office.

(c). The object for which the company or association is created, including the maximum and minimum age limits of persons to whom benefit certificates may be issued.

(d). Titles of the officers of the company or association and the number of directors and the names of persons who will serve as officers and directors until another election is held.

(e). Shall file with the Board of Insurance Commissioners for approval copies of all policy forms.

(f). Shall file a financial statement on the form prescribed by the Board of Insurance Commissioners.

(2). If and when the Board of Insurance Commissioners shall be satisfied that the requirements of this section have been met, and shall have approved the deposits and bond required in this act, it shall issue to such company or association a cer-

tificate of authority to do business in Texas, which shall expire on March 1st following, and shall furnish such company or association a certified copy of its charter.

Sec. 2. Deposits—If the charter and by-laws and policy forms are found to meet the requirements of this act, the Board shall make such investigation as it may deem necessary regarding the solvency of the company. Thereupon the Board shall require the deposits with the State Treasurer of cash or convertible securities to be approved by the Board in the sum of twenty-five thousand dollars (\$25,000); said deposit shall be held for the protection of policy holders and claimants, the purpose of said fund being to guarantee the payment of any valid claim against such company or association after determination by a court of final jurisdiction. In the event such association or company shall fail to pay any such judgment, the Board of Insurance Commissioners is authorized and empowered to sell or dispose of a sufficient amount of said deposit to liquidate such judgment. The Board of Insurance Commissioners shall notify the officers and directors of such association or company that within thirty days such amounts as have been used in the payment of such judgments shall be replaced, so that the twenty-five thousand dollars (\$25,000) fund shall be kept intact. In the event such company or association shall fail to replace such amounts within the period above named, the Board of Insurance Commissioners shall revoke the license of the association or company, and such revocation shall be final and subject only to an appeal to a court of competent jurisdiction.

Sec. 3. Officers' Bond—(a). Such company or association shall, by a resolution adopted and entered on its minute books, a copy of which, properly certified by the president or secretary, shall be filed with the Board of Insurance Commissioners, designating some officer who shall be responsible in the handling of the funds of the company or association; such officer shall make and file a bond with a corporate surety company as surety, satisfactory to the Board, in the sum of not less than five thousand dollars (\$5000), payable to the Board of Insurance Commissioners, and which shall at all times be equal to the

amount of the mortuary fund on hand, which said bond shall be conditioned upon the faithful performance of the duties of the said officers and of the care and custody of the funds in his hands, and the disbursement thereof, according to the laws of this State and the constitution and by-laws of the company or association.

(b). Recovery of Bond—When the Board is informed that any officer of any such company or association has violated the terms of said bond, it shall cause an audit or examination to be made and, if same reveal a violation, it shall immediately notify the company executing said bond and, if it deems necessary, request the Attorney General to bring suit against such company under said bond. It shall be the duty of the Attorney General to immediately file suit on said bond in the name of the Board of Insurance Commissioners for the benefit of the company or association or its claimants; such suit shall be brought in some court of competent jurisdiction in Travis county, Texas.

Sec. 4. Branch Offices—No mutual assessment company or association coming under the provision of this act shall be permitted to operate any independent branch office, but its entire business shall be handled through the home office as designated in its charter and by-laws, and all policies shall be issued from that office. No such company or association may create any separate class or group among its membership, except as provided for in its by-laws, and all amendments to the by-laws must be submitted to and approved by the chairman of the Board of Insurance Commissioners before same can become effective.

Sec. 5. Benefits—Such companies or associations shall specify in their policy or membership certificate forms the sum of money they promise to pay and the number of days after satisfactory proof is filed when such payment will be made. Upon the occurrence of such contingencies, unless the contract shall have been voided by fraud or by breach of its conditions, the corporation shall be obligated to the beneficiary for such payment at the time and in the amount specified in the policy or certificate.

If such corporation shall refuse or fail to make such payment after final

judgment has been obtained upon such claim or after liability is admitted thereon by the company or association, the Commission shall notify the corporation not to issue any new policies or certificates until such indebtedness is fully paid; and no officer or agent of the corporation shall make, sign or issue any policy or certificate of insurance while such notice is in force.

Sec. 6. By-Laws—(a). The by-laws and certificate to be issued shall be submitted to the Board of Insurance Commissioners for approval, and each change or amendment to such by-laws or certificate must be approved by the Board before they become effective. The by-laws shall provide for the periodical meetings of the members and how special meetings may be called. At such meetings each member present shall be entitled to vote on all questions arising in person.

(b). The affairs of such company or association shall be conducted strictly in accordance with their respective by-laws as herein provided for. Such by-laws duly certified to by the president and secretary, shall be filed with and approved by the Board of Insurance Commissioners, and a copy of such duly certified by such Board, shall be received in evidence in all the courts of this State.

Sec. 7. Annual Statement—All assessment insurance associations or companies transacting business in this State, under the provisions of this act, shall annually file with the Board of Insurance Commissioners by March 1st, a full and complete sworn statement of its financial condition on the 31st day of December next preceding. Such statement shall plainly exhibit all real and contingent assets, and all liabilities and an account of income and disbursements during the year, and shall give all the information called for by the Commissioners on blanks which they shall furnish for the making of such annual statements.

Sec. 8. Examination—The Board in addition to the annual report shall once in every two years or oftener, if deemed advisable, require the books and affairs of such company or association to be examined and audited by an accountant designated and commissioned by the Board of Insurance Commissioners. For the purposes of any examinations the Board and the

auditor shall have free access to all books, papers and accounts of the company or association. The cost of the audit shall be paid by the company or association and said cost not to exceed \$25 per day for time required in making such examination and audit, and necessary expenses.

Sec. 9. Dissolution—If any company or association now doing business in this state on the State-wide plan shall fail to effect a compliance with the provisions of this act within six months from the effective date hereof, it shall dissolve itself within that time, and if any company or association hereafter doing business under the provisions of this act shall fail to comply with the provisions of the act, or shall undertake to operate without a permit or certificate of authority, or shall fail or refuse to make the reports as and when herein required, or shall refuse to submit to examination or pay the cost thereof, or shall conduct its business in a fraudulent, illegal or dishonest manner, or shall violate any of the terms of this act, shall, in addition to other penalties imposed on it or its officers, subject itself to forfeiture of its right to do business and to dissolution, and the Attorney General shall, at the request of the Board of Insurance Commissioners, file such suit as may be necessary to wind up the affairs of such company or association, and if necessary have a receiver appointed for that purpose.

Sec. 10. Penalty.—(a) Any person or persons who shall violate any of the provisions of this law shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not more than five hundred dollars (\$500).

(b). Any person or persons or mutual assessment life insurance companies or associations, now operating on a State-wide plan in this State, who shall violate any of the provisions of this law shall thereby forfeit their right to transact life insurance business in this State; such association or company shall have forfeited its right to transact business in this State unless it shall have complied with the provisions of this act.

(c). The Board of Insurance Commissioners of the State of Texas may make reasonable rules and regulations for the conducting of the business and the operation of the business of all mutual assessment life insur-

ance companies or associations now operating on a State-wide plan in this State.

Sec. 11. Not Validating—This act shall not prejudice or affect the rights of either party to any suits now pending in this State affecting the right of any mutual assessment life insurance company or association now operating on a State-wide plan in this State to do business or transact a life insurance business in this State.

This act shall not be construed as validating any charter held by any mutual assessment life insurance company or association now operating on a State-wide plan in this State.

Sec. 12. Insolvency—At any time the Board of Insurance Commissioners, after investigation, shall be satisfied that any mutual assessment life insurance company or association operating on a State-wide plan in this State, is insolvent, because of matured death claims, or other obligations due and unpaid, exceeding its assets and death assessments or periodical payments called, to be called, or in process of collection, or has exceeded its powers, failed to comply with any provision of law, or has a membership of less 100 paying their assessments, they shall report the fact to the Attorney General of the State who shall thereupon apply to any court in Travis county having jurisdiction thereof for an order requiring the officers of such corporation to show cause why such corporation should not be restrained from continuing to transact business. Such court, may, in its discretion, appoint agents or receivers to take charge of the effects and wind up the business of the corporation, subject to such rules and orders as the court may from time to time prescribe, or permit some solvent association or company to re-insure or take over the business in a way best calculated to protect the policyholders.

Sec. 13. Policies—No association or company doing business under this act shall hereafter issue a certificate or policy to any person who at nearest birthday is more than sixty-five years of age.

No association or company doing business under this act shall issue any certificate or policy upon a limited payment plan, nor guarantee or promise to pay any type of endowment or annuity benefits, but shall confine its operation to the issuance of certi-

ates looking to continuous payment premiums, or assessments, during the life-time of the policyholder.

All mutual assessment insurance companies or associations operating under a charter issued by the Secretary of State of the State of Texas or by legislative act of the State of Texas and transacting business in this State on a State-wide plan on the date of the passage of this act shall be subject to the provisions contained herein.

Sec. 14. Exceptions—This act shall in no wise affect fraternal benefit societies, reciprocal exchanges, local mutual aid associations or any other form of insurance other than that of mutual assessment life insurance associations or companies operating on the State-wide plan.

Sec. 15. Service of Process—In all lawsuits brought against an association operating under this act, it shall be deemed sufficient service of citation if the same shall be served upon the Chairman of the Board of Insurance Commissioners of this State within the time required for service upon individuals. The Board, when served with citation for such an association, shall forthwith transmit the same by registered mail to the association at the postoffice address as designated in the records on file with the Board of Insurance Commissioners.

Sec. 16. Fees—For filing charter and approval of by-laws and certificate prior to qualification under this act, the Board shall charge a filing fee of \$10. For filing of each annual report it shall charge a fee of \$10, and it shall also charge a fee of \$1 for issuance of a certificate of authority to do business, which amounts shall be paid into the general fund.

Sec. 17. If any section, subsection, sentence, clause or phrase of this act is held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act, it being the intent of the Legislature that such remaining portion shall operate as a valid law.

Sec. 18. Emergency Clause—The fact that there are a number of associations in this State operating an assessment and insurance business under charters heretofore granted under the statutes of this State without adequate supervision of the Board of Insurance Commissioners of the

State of Texas creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three separate and several days in each house shall be suspended, and that this bill be placed upon its third reading and final passage and take effect from and after its passage, and said rule is hereby suspended, and it is so enacted.

On motion of Mr. DeWolfe, the bill was laid on the table subject to call.

HOUSE BILL NO. 358 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 358, A bill to be entitled "An Act to amend Articles 5353, 5354, 5358 and 5364, Division 2, Chapter 4, of the Revised Civil Statutes of 1925, relating to the sale of oil and gas leases on coastal areas and unsold, unsurveyed school land, so as to include unsold, unsurveyed school land, etc., and declaring an emergency."

The bill was read second time.

On motion of Mr. Wagstaff, the bill was laid on the table subject to call.

HOUSE BILL NO. 619 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 619, A bill to be entitled "An Act providing for and authorizing the exchange between the State of Texas and the Houston and Texas Central Railroad Company of certain lands belonging to them, respectively, situated in Waller county, Texas, and the execution of deeds of conveyance effecting such exchange, placing the land to be so acquired and conveyed to the State in and under the possession, control and management of the State Highway Commission and constituting same a part of the right of way for State Highway No. 6 in Waller county, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 713 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 713, A bill to be entitled "An Act providing for the transfer of title of certain lands to the State Highway Commission, consisting of two separate tracts, one being across Copano Pass in Aransas county, the other across Lavaca Bay in Calhoun county, lying under, along and adjacent to the causeways and their approaches now under construction on State Highway No. 57, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 386 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 386, A bill to be entitled "An Act to amend Section 1, Chapter 47, General and Special Laws, Forty-first Legislature, First Called Session, by adding thereto Section 1a, providing for the transfer of territory and the organization of school districts, and declaring an emergency."

The bill was read second time.

Mr. Tarwater offered the following amendment to the bill:

Amend House bill No. 386 by striking out everything after the enacting clause and substituting in lieu thereof the following:

Section 1. That Section 1, Chapter 47, Acts Forty-first Legislature, First Called Session, be and the same is hereby amended by adding thereto Section 1a, as follows:

"Section 1a. The county board of trustees, upon receipt of the petition herein prescribed and when the educational needs of the county necessitate such action, may detach from any district, common or independent, or any such contiguous districts, whether created by general or special law, territory to be incorporated into a new common school or independent school district; provided, that before the county board may pass an order detaching the said territory and incorporating the said district, notice of such proposed action must be given in writing to the officers of the board of trustees of each district whose area would be affected by the said transfer of territory, and an opportunity to be heard on the proposed change be afforded the officers of such district; and provided further, that

no district shall be reduced below an area of nine square miles, or any district created with an area of less than nine square miles and sufficient taxable valuations to support an efficient school system. In the event the territory to be detached from any district exceeds ten per cent of the total area of the said district, the county board of trustees must have, in addition to the petition prescribed herein, the written approval of the proposed detachment of territory by a majority of the board of trustees of said district. Any school district created under the provisions of this act shall be governed by the general laws relating to common and independent school districts as they now exist or may hereafter be enacted, and it shall be the duty of the county board of trustees, at the time the order for the establishment of the district is made, to appoint a board of trustees for the said common or independent school district, as the case may be, to serve until the next regular election of trustees as prescribed by the general law, when a board of trustees shall be elected whose terms of office shall be in accordance with the provisions of the general law governing common and independent school districts, respectively, and the said district, when so established, shall have all the rights and privileges of an independent or common school district as prescribed by general law.

"And bonded indebtedness affected by the proposed transfer of territory and the establishment of a new district shall be adjusted by the county board of trustees as prescribed by the general law; provided, however, that before any tax may be levied over the territory of the new district for the liquidation of its proportionate part of the outstanding bonded indebtedness of any district from which the territory of the new district is taken, the said new district shall vote to assume the said indebtedness and authorize the levy of the necessary tax. The said election shall be held in accordance with the provisions of the general law governing bond tax elections in a common or independent school district as the case may be.

"The petition shall give the metes and bounds of the proposed district and be signed by a majority of the qualified voters residing in each territory to be detached; provided, that when the proposed new district will embrace territory lying in two or

more counties, all orders affecting its establishment shall be concurred in by the county board of trustees of each county concerned, but the petition for the establishment of a county-line district as provided for herein shall be addressed to the county board of trustees of the county in which the principal school of the new district is to be located, and administrative jurisdiction of the said district shall be vested in the county board of said county."

Sec. 2. The provisions of this act shall be cumulative of the provisions of the present law governing common and independent school districts.

Sec. 3. The urgent need of this legislation in certain counties of this State, together with the crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read in each house on three several days be suspended and that this act take effect from and after its passage, and it is so enacted.

The amendment was adopted.

By unanimous consent, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 386 was then passed to engrossment.

HOUSE BILL NO. 818 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 818, A bill to be entitled "An Act authorizing the commissioners courts of all counties adjacent to the Gulf of Mexico to issue time warrants bearing interest not exceeding 8 per cent per annum to be used in the payment, either by outright purchase or after condemnation proceedings, of lands for right of way purposes for an intercoastal canal, and declaring an emergency."

The bill was read second time.

Mr. Carpenter offered the following amendments to the bill:

(1)

Amend House bill No. 818 by adding, after the words "rights of way" the words "and dumping grounds" wherever the same appears within

the bill, and further amending House bill No. 818 by changing the word "intercoastal" to "intracoastal" wherever said word appears within the bill.

(2)

Amend House bill No. 818 so as to make the caption conform with the body of the bill.

The amendments were severally adopted.

House bill No. 818 was then passed to engrossment.

HOUSE BILL NO. 515 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 515, A bill to be entitled "An Act to amend Section 2, Chapter 74, Acts of the Fifth Called Session, Forty-first Legislature, and providing the effective date hereof, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 877 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 877, A bill to be entitled "An Act providing that in all cases when weekly compensation due an employe or beneficiary coming within the terms and provisions of the Workmen's Compensation Act are paid before becoming due, whether such payment be authorized by the Industrial Accident Board or a court of competent jurisdiction, discount shall be allowed for present payment at 6 per cent compounded annually, etc., and declaring an emergency."

The bill was read second time.

Mr. Daniel offered the following amendments to the bill:

(1)

Amend House bill No. 877 by adding the following at the end of Section 1 thereof: "and provided further when either party shall appeal from the award of the Industrial Accident Board to the district court, the district court shall try the matter repealed from only, and shall not in said trial adjudicate in any way any right to exemplary damages, as is granted in Article 16, Section 26, of the State Constitution."

(2)

Amend House bill No. 877 by amending the caption to conform to and include amendment No. 1.

The amendments were severally adopted.

House bill No. 877 was then passed to engrossment.

HOUSE BILL NO. 844 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 844, A bill to be entitled "An Act to create a State commission for the blind to prepare and maintain a register of those blind persons living in the State of Texas in which is shown their condition, cause of blindness, and capacity for education and industrial training; to set up a bureau of information and industrial aid for the blind, etc., and declaring an emergency."

The bill was read second time.

Mr. Van Zandt offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 844 by adding at the end of Section 2 the following: "The commission may receive gifts, bequests or devises from individuals, associations or corporations, and may expend them in accordance with the provisions of this act."

(2)

Amend House bill No. 844 by adding in Section 2, page 2, line 4, between the words "teachers" and "give," the words "the commission may."

The amendments were severally adopted.

House bill No. 844 was then passed to engrossment.

HOUSE BILL NO. 1015 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1015, A bill to be entitled "An Act to amend Articles 1740 and 1741 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

ADJOURNMENT.

On motion of Mr. DeWolfe, the House, at 1 o'clock p. m., adjourned until 9 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

State Affairs: House bills Nos. 38, 626 and 768, Senate bills Nos. 528, 45, 118 and 352.

Banks and Banking: Senate bill No. 531.

Education: Senate bills Nos. 276, 309, 275, 430, House bills Nos. 1010 and 772.

Criminal Jurisprudence: Senate bill No. 153.

School Districts: House bill No. 875.

The Committee on Municipal and Private Corporations filed an adverse report, with a minority favorable report, on House bill No. 722.

The Committee on State Affairs filed an adverse report on Senate bill No. 585.

FORTY-FIRST DAY.

(Monday, April 13, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.	Carpenter.
Adams of Harris.	Caven.
Adams of Jasper.	Claunch.
Adamson.	Coltrin.
Adkins.	Coombes.
Akin.	Cox of Lamar.
Albritton.	Cox of Limestone.
Alsup.	Cunningham.
Anderson.	Dale.
Baker.	Daniel.
Barron.	Davis.
Beck.	DeWolfe.
Bedford.	Donnell.
Bond.	Dowell.
Bounds.	Dunlap.
Boyd.	Duvall.
Bradley.	Dwyer.
Brice.	Elliott.
Brooks.	Engelhard.
Bryant.	Farmer.
Burns	Farrar.
of McCulloch.	Ferguson.

Fisher.	Magee.
Forbes.	Mathis.
Ford.	Mehl.
Gilbert.	Metcalf.
Giles.	Moffett.
Goodman.	Moore.
Graves.	Murphy.
Greathouse.	Nicholson.
Grogan.	Olsen.
Hanson.	O'Quinn.
Hardy.	Patterson.
Harman.	Petsch.
Harrison	Pope.
of El Paso.	Ramsey.
Harrison	Ratliff.
of Waller.	Ray.
Hatchitt.	Reader.
Hefley.	Richardson.
Herzik.	Rogers.
Hill.	Rountree.
Hines.	Sanders.
Holder.	Savage.
Holland.	Scott.
Hoskins.	Shelton.
Howsley.	Sherrill.
Hubbard.	Smith of Bastrop.
Hughes.	Smith of Wood.
Jackson.	Sparkman.
Johnson	Stephens.
of Dallam.	Stevenson.
Johnson	Steward.
of Dimmit.	Strong.
Johnson of Morris.	Sullivant.
Jones of Shelby.	Tarwater.
Jones of Atascosa.	Terrell
Justiss.	of Cherokee.
Kayton.	Terrell
Keller.	of Val Verde.
Kennedy.	Turner.
Laird.	Van Zandt.
Lasseter.	Vaughan.
Lee.	Veatch.
Lemens.	Wagstaff.
Leonard.	Walker.
Lilley.	Warwick.
Lockhart.	West of Coryell.
Long.	West of Cameron.
McCombs.	Westbrook.
McDougald.	Wiggs.
McGill.	Wyatt.
McGregor.	Young.

Absent.

Finn.	Munson.
Martin.	Weinert.

Absent—Excused.

Burns of Walker.	Morse.
Dodd.	Satterwhite.
Fuchs.	Towery.
Holloway.	

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.